

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

SHANET VIRUET,

Plaintiff,

16cv8327 (JGK)

- against -

MEMORANDUM OPINION &
ORDER

CITY OF NEW YORK et al.,

Defendants.

JOHN G. KOELTL, District Judge:

The Court has received the Report and Recommendation of Magistrate Judge Parker dated May 1, 2020, that recommends that the defendants' motions be granted in part and that the plaintiff's action be dismissed with prejudice pursuant to Rules 37(b) and 41(b) of the Federal Rules of Civil Procedure, but that the defendants' request for an award of attorney's fees and costs be denied. The Court granted four separate requests for extensions of time to file Objections to the Report and Recommendation, the most recent of which extended the time for the plaintiff to file Objections to July 13, 2020. Thus, almost three months have passed after the issuance of the Report and Recommendation and no Objections have been filed. The failure to file Objections underscores the wisdom of the Magistrate Judge's Recommendation that this case should be dismissed with prejudice. The case cannot proceed without the active participation of the plaintiff pursuing her own case.

It is clear that the time for Objections to the Report and Recommendation has passed and no Objections were filed, despite the four extensions of time granted by this Court. Moreover, the Court finds that the Report and Recommendation are thorough and well-founded and should be adopted.

Therefore, for the reasons stated above, and in the Report and Recommendation, the plaintiff's action is dismissed with prejudice, but without any imposition of costs or attorney's fees. The Clerk is directed to enter Judgment dismissing this action with prejudice. The Clerk is also directed to close this case and to close all pending motions. Chambers will mail a copy of this Opinion to the pro se plaintiff.

SO ORDERED.

**Dated: New York, New York
July 31, 2020**

**/s/ John G. Koeltl
John G. Koeltl
United States District Judge**